

## REMARKS

The application includes claims 1-16 prior to entering this amendment.

Claims 1-3 and 11-16 are allowed. Claims 4-10 are rejected.

No new subject matter has been added and reconsideration is respectfully requested.

### Allowable Subject Matter

Applicant acknowledges the allowance of claims 1-3 and 11-16.

### Claim Rejections - 35 U.S.C. § 103

Claim 4 has been rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in view of Newman (U.S. Patent No. 5,708,970). The rejection of claims 4-10 is respectfully traversed; however to further the case to issuance claim 4 has been amended to recite:

*receiver circuitry for receiving a wireless reception signal from a wirelessly transmitting base unit; and*

*control circuitry selectively switching the transmitter and receiver circuitry between a stand-by mode where only the receiver circuitry is operational to receive and demodulate the wireless reception signal from the base unit into audio signals and a communication mode where both the receiver circuitry and the transmitter circuitry are operational to receive and demodulate the wireless reception signal into audio signals and modulate and transmit audio signals as the wireless transmission signal, respectively, the control circuitry including a tone detector configured to monitor the wireless reception signal for a first activation frequency tone generated and received from the transmitting base unit for remotely switching the control circuitry from the stand-by mode to the communication mode, the tone detector responsive to detecting the first activation frequency tone causing the control circuitry to switch from the stand-by mode to the communication mode.*

With regard to previously rejected claim 5, the Examiner acknowledged that Newman does not teach a tone detector that automatically deactivates/deactivates communication modes but alleged this is taught in Ferianz at col. 1, lines 6-15 (December 4, 2009 Office Action, page, 3) .

Ferianz in FIG. 1 simply describes a driver circuit that receives a voice signal at a signal input E1 and emits the voice signal from a voice CODEC circuit to a voice signal driver. Ferianz states that the voice signal driver can be activated and deactivated by the voice CODEC circuit (col. 1, lines 6-16).

There is nothing in Ferianz that even mentions receiver circuitry that receives a wireless reception signal from a wirelessly transmitting base station as recited in claim 4. Regardless, there also is no suggestion in Ferianz of *a handset device, comprising . . . a tone detector configured to monitor the wireless reception signal for a first activation frequency tone received from the transmitting base unit for switching the control circuitry from the stand-by mode to the communication mode.*

There is no transmitting base unit described in Ferianz or Newman, much less, one that generates a first activation frequency tone for switching the communication state of another handset device as recited in claim 4. Ferianz simply states that a voice codec activates a voice driver. There is no suggestion in Ferianz that the voice codec identifies a first activation frequency tone or that the driver is part of a handset that receives a reception signal from a base unit.

The voice codec in Ferianz also does not cause the voice driver to switch between a stand-by mode where only the receiver circuitry is operational to receive and demodulate the wireless reception signal from the base unit into audio signals and a communication mode where both the receiver circuitry and the transmitter circuitry are operational to receive and demodulate the wireless reception signal into audio signal and modulate and transmit audio signals into the wireless transmission signal, respectively.

Accordingly, claim 4 is patentable under 35 U.S.C. 103(a) over applicant's admitted prior art in view of Newman and Ferianz.

Claim 5 further recites *the tone detector is configured to monitor the reception signal for a second deactivation frequency tone received from the transmitting base unit for remotely switching the control circuitry from the communication mode back to the stand-by mode, wherein the tone detector responsive to detecting the second deactivation frequency tone from the transmitting base unit causes the control circuitry to switch from the communication mode back to the stand-by mode.*

Since there is no first activation frequency tone generated or detected in either Newman or Ferianz, it follows that there is also no second deactivation frequency tone as recited in claim 5. Accordingly, claim 5 is separately patentable under 35 U.S.C. 103(a) over applicant's admitted prior art in view of Newman and Ferianz.

Claim 7 includes at least some elements similar to elements in claim 1 or 11 and is therefore also separately patentable under 35 U.S.C. 103(a) over applicant's admitted prior art in view of Newman and Ferianz.

### CONCLUSION

For the foregoing reasons, the applicants request reconsideration and allowance of claims 1-16. The applicants encourage the examiner to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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